

Exhibit 2

The Honorable Lauren King

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

STATE OF WASHINGTON, et al.,

NO. 2:25-cv-00244-LK

Plaintiffs,

SUBPEONA DUCES TECUM FOR
DOCUMENTS AND TESTIMONY
IN A CIVIL CASE

DONALD J. TRUMP, in his official capacity
as President of the United States, et al.,

Defendants.

TO: LIZA BUNDESEN

YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or tangible things at the place, date, and time specified below:

See Exhibit A, attached hereto.

PLACE OF TESTIMONY: 1029 Vermont Ave NW, 10th Floor Washington, DC 20005	COURTROOM: N/A
	DATE AND TIME: April 4, 2025; 9:00 a.m. EST

YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case. Your testimony will be recorded stenographically. Your deposition is subject to continuance or adjournment from time to time and place to place until completed.

**SUBPOENA DUCES TECUM FOR
DOCUMENTS AND TESTIMONY
IN A CIVIL CASE
NO. 2:25-cv-00244-JK**

ATTORNEY GENERAL OF WASHINGTON
Complex Litigation Division
800 Fifth Avenue, Suite 2000
Seattle, WA 98104
(206) 464-7744

1 Any organization not a party to this suit that is subpoenaed for the taking of a deposition
 2 shall designate one or more officers, directors, or managing agents, or other persons who consent
 3 to testify on its behalf, and may set forth, for each person designated, the matters on which the
 4 person will testify. Fed. Rule Civ. Pro. 30(b)(6). The topics to be addressed during the deposition
 5 include:

6 **See Exhibit A, attached hereto.**

7 PLACE OF DEPOSITION: 1029 Vermont Ave NW, 10th Floor Washington, DC 20005	8 DATE AND TIME: April 4, 2025; 9:00 a.m. EST
9 ISSUING OFFICER SIGNATURE AND TITLE: <i>/s/ William McGinty</i> WILLIAM MCGINTY, WSBA #41868 Assistant Attorney General	10 DATE: March 25, 2025
11 ISSUING OFFICER'S NAME, ADDRESS, AND PHONE NUMBER: William McGinty, WSBA #41868 Counsel for Plaintiff State of Washington Office of the Attorney General 800 Fifth Avenue, Suite 2000 Seattle, WA 98104 (206) 464-7744	

1 **(d) PROTECTING A PERSON SUBJECT TO A
2 SUBPOENA; ENFORCEMENT.**

3 (1) Avoiding Undue Burden or Expense; Sanctions. A party
4 or attorney responsible for issuing and serving a subpoena must
5 take reasonable steps to avoid imposing undue burden or expense
6 on a person subject to the subpoena. The court for the district
7 where compliance is required must enforce this duty and impose
8 an appropriate sanction—which may include lost earnings and
9 reasonable attorney's fees—on a party or attorney who fails to
10 comply.

11 (2) Command to Produce Materials or Permit Inspection.

12 (A) Appearance Not Required. A person commanded
13 to produce documents, electronically stored information, or
14 tangible things, or to permit the inspection of premises, need not
15 appear in person at the place of production or inspection unless
16 also commanded to appear for a deposition, hearing, or trial.

17 (B) Objections. A person commanded to produce
18 documents or tangible things or to permit inspection may serve on
19 the party or attorney designated in the subpoena a written objection
20 to inspecting, copying, testing, or sampling any or all of the
21 materials or to inspecting the premises—or to producing
22 electronically stored information in the form or forms requested.
23 The objection must be served before the earlier of the time
24 specified for compliance or 14 days after the subpoena is served.
25 If an objection is made, the following rules apply:

26 (i) At any time, on notice to the commanded person, the
1 serving party may move the court for the district where compliance
2 is required for an order compelling production or inspection.

3 (ii) These acts may be required only as directed in the
4 order, and the order must protect a person who is neither a party
5 nor a party's officer from significant expense resulting from
6 compliance.

7 (3) Quashing or Modifying a Subpoena.

8 (A) When Required. On timely motion, the court for
9 the district where compliance is required must quash or modify a
10 subpoena that:

11 (i) fails to allow a reasonable time to comply;

12 (ii) requires a person to comply beyond the
13 geographical limits specified in Rule 45(c);

14 (iii) requires disclosure of privileged or other protected
15 matter, if no exception or waiver applies; or

16 (iv) subjects a person to undue burden.

17 (B) When Permitted. To protect a person subject to or
18 affected by a subpoena, the court for the district where compliance
19 is required may, on motion, quash or modify the subpoena if it
20 requires:

21 (i) disclosing a trade secret or other confidential
22 research, development, or commercial information; or

23 (ii) disclosing an unretained expert's opinion or
24 information that does not describe specific occurrences in dispute
25 and results from the expert's study that was not requested by a
26 party.

27 (C) Specifying Conditions as an Alternative. In the
28 circumstances described in Rule 45(d)(3)(B), the court may,

29 instead of quashing or modifying a subpoena, order appearance or
30 production under specified conditions if the serving party:

- 31 (i) shows a substantial need for the testimony or
32 material that cannot be otherwise met without undue hardship; and
- 33 (ii) ensures that the subpoenaed person will be reasonably
34 compensated.

35 **(e) DUTIES IN RESPONDING TO A SUBPOENA.**

36 (1) Producing Documents or Electronically Stored
37 Information. These procedures apply to producing documents or
38 electronically stored information:

39 (A) Documents. A person responding to a subpoena to
40 produce documents must produce them as they are kept in the
41 ordinary course of business or must organize and label them to
42 correspond to the categories in the demand.

43 (B) Form for Producing Electronically Stored
44 Information Not Specified. If a subpoena does not specify a form
45 for producing electronically stored information, the person
46 responding must produce it in a form or forms in which it is
47 ordinarily maintained or in a reasonably usable form or forms.

48 (C) Electronically Stored Information Produced in
49 Only One Form. The person responding need not produce the same
50 electronically stored information in more than one form.

51 (D) Inaccessible Electronically Stored Information.
52 The person responding need not provide discovery of
53 electronically stored information from sources that the person
54 identifies as not reasonably accessible because of undue burden or
55 cost. On motion to compel discovery or for a protective order, the
56 person responding must show that the information is not
57 reasonably accessible because of undue burden or cost. If that
58 showing is made, the court may nonetheless order discovery from
59 such sources if the requesting party shows good cause, considering
60 the limitations of Rule 26(b)(2)(C). The court may specify
61 conditions for the discovery.

62 (2) Claiming Privilege or Protection.

63 (A) Information Withheld. A person withholding
64 subpoenaed information under a claim that it is privileged or
65 subject to protection as trial-preparation material must:

66 (i) expressly make the claim; and

67 (ii) describe the nature of the withheld documents,
68 communications, or tangible things in a manner that, without
69 revealing information itself privileged or protected, will enable the
70 parties to assess the claim.

71 (B) Information Produced. If information produced in
72 response to a subpoena is subject to a claim of privilege or of
73 protection as trial-preparation material, the person making the
74 claim may notify any party that received the information of the
75 claim and the basis for it. After being notified, a party must
76 promptly return, sequester, or destroy the specified information
77 and any copies it has; must not use or disclose the information until
78 the claim is resolved; must take reasonable steps to retrieve the
79 information if the party disclosed it before being notified; and may
80 promptly present the information under seal to the court for the
81 district where compliance is required for a determination of the
82 claim. The person who produced the information must preserve the
83 information until the claim is resolved.

EXHIBIT A

DEFINITIONS

For purposes of this Subpoena, the following terms shall have the following meaning:

4 1. “Communication” shall mean any exchange of information by any means of
5 transmission, sending or receipt of information of any kind by or through any means, including,
6 but not limited to, verbal expression, gesture, writings, documents, language (machine, foreign,
7 or otherwise) of any kind, computer electronics, email, SMS, MMS or other “text” messages,
8 messages on “social networking” sites (including but not limited to Facebook, Google+,
9 MySpace and Twitter/X), shared applications from cell phones, “smartphones,” netbooks and
10 laptops, sound, radio, or video signals, telecommunication, telephone, teletype, facsimile,
11 telegram, microfilm or by any other means. “Communications” includes, without limitation, all
12 originals and copies of documents reflecting inquiries, discussions, conversations,
13 correspondence, negotiations, agreements, understandings, meetings, notices, requests,
14 responses, demands, complaints, press, publicity or trade releases and the like that were provided
15 by you to another entity or to you by others.

16 2. "Document" shall mean any writing, recording, drawing, graph, chart,
17 photograph, sound recording, image, and other data or data compilation, stored in any medium
18 from which information can be obtained either directly or, if necessary, after translation by the
19 responding party into a reasonably usable form, including all drafts, prior versions, metadata,
20 proofs and non-identical copies of any requested document, whether electronic, hand-written,
21 typed, printed or otherwise. "Document" is defined broadly to include all writings of any kind
22 or nature, of a written or graphic matter, however produced or reproduced, whether created on
23 hard copy or electronically, of any kind or description, whether or not sent or received, all copies
24 thereof that are different in any way from the original (whether by interlineations, receipt stamp,
25 notation, indication of copy sent or received or otherwise).

1 3. “Employee” shall mean and include, but is not limited to, all current or former
2 salaried employees, hourly employees, independent contractors, and individuals performing
3 work as temporary employees.

4 4. “Person” shall mean any natural person or such person’s legal representative; any
5 partnership, domestic or foreign corporation, or limited liability company; any company, trust,
6 business entity, or association; and any agent, employee, salesman, partner, officer, director,
7 member, stockholder, associate, or trustee.

8 7. “You” shall mean Liza Bundesen; “your” shall mean belonging to or associated
9 with Liza Bundesen.

10 8. “Relevant Time Period” unless otherwise defined, shall mean January 20, 2025
11 to present.

REQUESTS FOR PRODUCTION

13 1. All documents relating to the termination of National Institutes of Health research
14 grants relating to trans issues or gender identity.

15 2. All drafts in your possession, custody, or control of the document titled “Staff
16 Guidance –Award Assessments for Alignment with Agency Priorities – March 2025” referenced
17 in in the March 6, 2025, article published by the journal “Nature” titled “Exclusive: NIH to
18 terminate hundreds of active research grants” authored by Max Kozlov and Smriti Mallapaty.

19 3. All communications made to or by you related to the documents identified in
20 Requests for Production 1 and 2.

21 4. All documents, including communications made to or by you, related to the
22 termination of NIH Grant No. 5R21HD107311.

23 5. All documents related to NIH's claims that "Research programs based on gender
24 identity are often unscientific, have little identifiable return on investment, and do nothing to
25 enhance the health of many Americans. Many such studies ignore, rather than seriously examine,
26 biological realities."

1 6. All documents related to NIH's claim that "It is the policy of NIH not to prioritize
2 these research programs."

3 7. All documents that include descriptions of policies, procedures, or guidance
4 regarding termination of NIH grants dated between January 20, 2025 and March 6, 2025.

5 8. All documents including communications, policy statements, or guidance
6 documents related to or referencing Executive Order 14,168, titled "Defending Women from
7 Gender Ideology Extremism and Restoring Biological Truth to the Federal Government," or
8 Executive Order 14,187, titled "Protecting Children from Chemical and Surgical Mutilation."

9 9. All communications between you and any person(s) affiliated with the
10 Department of Government Efficiency, related to NIH grant funding.

11 10. A copy of your current CV and/or resume.

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DECLARATION OF SERVICE

I hereby declare that on this day I caused the foregoing document to be served, via electronic mail, on the following:

Vinita B. Andrapalliyyal
Senior Counsel
Christian S. Daniel
Trial Attorney
United State Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, D.C. 20530
Vinita.B.Andrapalliyyal@usdoj.gov
Christian.S.Daniel@usdoj.gov
Attorneys for Defendants

I declare, under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

DATED this 25th day of March 2025, at Olympia, Washington.

/s/ William McGinty
WILLIAM MCGINTY, WSBA #41868
Assistant Attorney General